

**From:** [BAYUK Dana](#)  
**To:** [James Peale](#); [ANDERSON Jim M](#)  
**Cc:** [McCue, Tom](#); [Gladstone, Alan](#); [Chris Reive](#); [heastwood@davisrothwell.com](#); [Burr, Myron](#); [Sean Sheldrake/R10/USEPA/US@EPA](#); [Kristine Koch/R10/USEPA/US@EPA](#); [Rene Fuentes/R10/USEPA/US@EPA](#); [Chip Humphrey/R10/USEPA/US@EPA](#); [PetersonLE@cdm.com](#); [rjw@nwnatural.com](#); [pdost@pearllegalgroup.com](#); [jedwards@anchorage.com](#); [cstivers@anchorage.com](#); [robe@hahnenv.com](#); [GAINER Tom](#); [LARSEN Henning](#); [MCCLINCY Matt](#)  
**Subject:** RE: Siltronic - Revised response to DEQ comments regarding Supplemental Injection Program  
**Date:** 03/22/2011 04:07 PM

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James...there appears to be a misunderstanding regarding the purpose of my call this morning. I contacted you to provide an update on the status of our further review of Siltronic's March 17<sup>th</sup> response, and mentioned an additional modification to the language we discussed yesterday. I tried to make it clear any revised language, including the modification I mentioned remained subject to review. In other words I did not propose final language on the call. I also indicated I would contact you later in the day to discuss the matter further.

That said, this e-mail clarifies and communicates DEQ's expectations for Siltronic to move forward with the Supplemental Injection Approach. DEQ expects that using EIB in a manner consistent with the Supplemental Injection Approach will not preclude consideration of remedial alternatives typically used to address MGP DNAPL (e.g., source removal, reduction, containment, solidification, and/or stabilization). Furthermore, DEQ acknowledges Siltronic's facilities will be an important consideration in evaluating remedial alternatives at the site.

Having clarified and communicated our expectations regarding using EIB, and acknowledging Siltronic's facilities will be considered in evaluating remedial alternatives, DEQ approves Siltronic moving forward with drilling and installation of monitoring wells.

Please feel free to contact me with questions regarding this e-mail.

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**From:** James Peale [<mailto:jpeale@maulfoster.com>]  
**Sent:** Tuesday, March 22, 2011 2:38 PM  
**To:** BAYUK Dana; ANDERSON Jim M  
**Cc:** [McCue, Tom](#); [Gladstone, Alan](#); [Chris Reive](#); [heastwood@davisrothwell.com](#); [Burr, Myron](#); [Sheldrake.Sean@epamail.epa.gov](#); [Koch.Kristine@epamail.epa.gov](#); [Fuentes.Rene@epamail.epa.gov](#); [Humphrey.Chip@epamail.epa.gov](#); [PetersonLE@cdm.com](#); [rjw@nwnatural.com](#); [pdost@pearllegalgroup.com](#); [jedwards@anchorage.com](#); [cstivers@anchorage.com](#); [robe@hahnenv.com](#); [GAINER Tom](#); [LARSEN Henning](#); [MCCLINCY Matt](#)

**Subject:** Siltronic - Revised response to DEQ comments regarding Supplemental Injection Program

Jim, Dana – As discussed, attached please find the revised version of our March 17, 2011 letter consistent with our conversation of yesterday afternoon and Dana's subsequent call this morning. This morning Dana indicated that including a parenthetical that provides examples of broad categories of likely remedial alternatives ( "removal, containment, solidification/stabilization") for MGP DNAPL was a desired additional edit to the statement. We have incorporated Dana's requested language, but have done so with the understanding that we mutually agreed during our telephone call yesterday that some specific remedial approaches within those broad categories of likely remedial alternatives identified in Dana's examples may not be practicable in the vicinity of the supplemental EIB injection area because of existing facility infrastructure. Please acknowledge this understanding, and confirm DEQ's approval for Siltronic to move forward with the well installation.

**JAMES G.D. PEALE RG, LHG | MAUL FOSTER ALONGI**

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